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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/909,340	08/11/1997	JERRY WALTER MALCOLM	AT9-97-314	1469

7590 03/10/2003

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EXAMINER

RUDY, ANDREW J

ART UNIT

PAPER NUMBER

3627

DATE MAILED: 03/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

08/909,340

Applicant(s)

MALCOLM, JERRY WALTER

Examiner

Andrew Joseph Rudy

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-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9 September 2002 & 16 January 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-6,11,15,18,21,23,25 and 26 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

- 5) ☐ Claim(s) _____ is/are allowed.

- 6) ☒ Claim(s) 1,4-6,11,15,18,21,23,25 and 26 is/are rejected.

- 7) ☐ Claim(s) _____ is/are objected to.

- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1, 4-6, 11, 15, 18, 21, 23, 25 and 26 are pending.

Drawings

2. Applicant's REMARKS received January 16, 2003 have been reviewed, but are not convincing. The display of a computer system and the illustration of a logic flowchart or other representation of the software process appears a reasonable remedy to obviate the objection to the drawings. Fig. 1B does not disclose a microprocessor 55 as asserted by Applicant from page 8 (1/16/03 REMARKS). Regarding the processor 116, it should have been labeled as the "association means" if Applicant deemed it to be such. However, the Examiner is not in agreement that it is clearly comprehended to be such, as asserted. As to "indication means" and "instructions set" recitations, Applicant does not clarify which drawing figure(s) illustrates the features recited. The Examiner is not clear regarding these issues. No new matter may be added.

Claim Rejections - 35 USC § 112

3. The rejection under 35 U.S.C. 112, first and paragraph, from Paper No. 11, is withdrawn pursuant to Applicant's REMARKS received September 9, 2002.

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4. Claims 8, 11, 15 and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 8, line 2, "association means" is not clearly supported in the specification.

Applicant's REMARKS received September 9, 2002 have been reviewed. However, this term is not presented in the descriptive portion of the specification, nor in the drawing figures. Other elements may reasonably be interpreted to comprise association means. As is, one is left to speculate as to its meaning. Thus, it is not clear. Applicant's REMARKS regarding "display means" are convincing and the rejection associated therewith is withdrawn.

Claim 11, line 2, "indication means" is not clearly supported in the specification.

Applicant's September 9, 2002, page 9 REMARKS are noted. However, no indication means is clearly set forth by Applicant.

Claim 15, lines 3, 8 "first instructions" and "second instructions" are not clearly supported in the specification. Applicant's September 9, 2002, page 9 REMARKS are noted. However, no first, or second instructions are clearly set forth by Applicant.

Claim 18, line 2 "third instructions" is not clearly supported in the specification.

Applicant's September 9, 2002, page 9 REMARKS are noted. However, no third instructions are clearly set forth by Applicant.

Claim 25, line 1 "Internet Server" is clearly supported in the specification, e.g. Internet Server 110. Applicant's September 9, 2002, page 9 REMARKS regarding Internet Server from claim 25, and the issue raised with regards to claims 21, 23 and 26, are noted. Applicant is convincing regarding claims 21, 23, 25 and 26.

Claim Rejections - 35 USC § 103

4. Claims 1, 4-6, 11, 15, 18, 21, 23, 25 and 26, as understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Schrader et al., U.S. Patent No. 5,903,881, in view of Stein et al., U.S. Patent No. 5,826,241, and further in view of Microsoft Money (MM).

Schrader discloses a processor for facilitating account statement reconciliation and displaying within a computer for a transaction group. See Paper No. 11 mailed May 11, 2000.

Stein discloses grouping individual transactions into larger categories and treating a transaction group as a single transaction wherein the selected transactions were paid or deposited together that may use the Internet. See Paper No. 11 mailed May 11, 2000.

MM discloses a total, e.g. "176" and a split transaction group individually displayed providing a "persistent" transaction grouping. It is noted that the term "persistent" does not provide a line a demarcation in amplifying "transaction grouping" as MM's transaction group is deemed continuous or indefinitely continuously recurring.

Providing a total feature for Schrader, in view of Stein, would have been obvious to one of ordinary skill in the art in view of MM. Providing such would provide a desired accurate account record system.

Applicant's comments received January 16, 2003 and September 9, 2002 have been reviewed. The examiner was in error in referencing "0.00" as a total from Paper No. 19 mailed May 29, 2002. However, within broad context the transaction group is "persistent" and individually displayed in MM. See the column "Amount" referenced on page 40, bottom right from MM. Also, see page 76 from MM, along with the entire document.

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Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

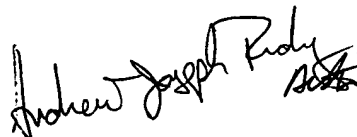
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Joseph Rudy whose telephone number is 703-308-7808.

The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

March 6, 2003


Andrew Joseph Rudy
Richard Chilcot
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Technology Center 2850
3627